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 Norma E. Ortiz
*Proposed Counsel to the Debtor and
 Debtor in Possession*

UNITED STATES BANKRUPTCY COURT
 SOUTHERN DISTRICT OF NEW YORK

-----X	:	
	:	
In re	:	
	:	
SANTIAGO QUEZADA, SR.,	:	Case No. 24-22431-shl
	:	
	:	
Debtor and Debtor in Possession.	:	Sub-Chapter V Chapter 11
-----X	:	

**DECLARATION OF SANTIAGO QUEZADA PURSUANT TO LOCAL
BANKRUPTCY RULE 1007-2**

I, Santiago Quezada Sr., of full age, declare pursuant to 28 U.S.C. §1746 as follows:

1. I am the sole shareholder of Euros El Tina Restaurant Lounge and Billiards Corp. (“El Tina”) which did business at 500 West 207th Street, New York, New York 10034. El Tina is no longer operating. I am also the sole shareholder of El Tina Fish Market Corp (the “Market”). The Market operates a fish store and take-out restaurant in Washington Heights in New York County. My present income is primarily derived from the Market, a family-owned restaurant, and my Social Security checks.

2. In an action entitled Pizarro vs. El Tina and Santiago Quezada (the “Pizzaro Lawsuit”) that is pending before the District Court of the Southern District of New York under Index No. 20 Civ. 5783, the Plaintiff obtained a judgment against me in the approximate amount

of \$1,625,00.00, without interest or legal fees. My attorneys have informed me that we have appealed that judgment and that they believe the judgement is reversible. However, since the judgment has been entered, my bank account has been restrained. As a result, I have had to seek the protection of the Court.

A. Local Rule 1007-2 Information Request

3. My case was not originally commenced as a Chapter 7 or 13 case and I have never filed a bankruptcy petition.

4. No committee of creditors was appointed prior to the bankruptcy filing so there are no committee members or professionals that were previously appointed.

5. To the extent I have this information available at this time, I have set forth in Exhibit A the list of the names, addresses, telephone numbers, person(s) familiar with my accounts, the amount of the claim, and whether the claim is contingent, unliquidated, disputed, or partially secured of my 20 largest non-insider unsecured creditors. However, because my bankruptcy petition was filed on an emergent basis, I reserve the right to amend any information contained in this Declaration and accompanying Exhibits so I can ensure the information is accurate and true.

6. To the extent I have this information available at this time, I have set forth in Exhibit A the list of the names, addresses, telephone numbers, person(s) familiar with the Debtor's account, amount of the claim, and whether the claim is contingent, unliquidated, disputed, or partially secured of my five largest secured creditors.

7. To the best of my ability, I have set forth an estimate of my assets and liabilities in Exhibit A. I have not obtained an independent valuation of my assets and the amounts listed

may be subject to amendment.

8. I do not own any stock that is publicly held or traded.

9. I reside in a single family home located at 258 Rumsey Road, Yonkers, New York 10705. My real property is located in New York and the Dominican Republic. My books and records are maintained by my accountant and I believe they are maintained online.

10. The lawsuits pending against me are set forth in **Exhibit A**.

11. I do not have any property in the possession or custody of any custodian, public officer, mortgagee, pledgee, assignee or rents or secured creditor, or agent for any such entity, other than the funds that may have been subject to the bank levy discussed in Paragraph 2.

12. I do not presently operate a business in my individual name.

13. Other than my interest in the entities listed above and my home, the asset I own outside of the United States is the real property I own in the Dominican Republic. The property is rural in nature and is used as a farm. I am in the process of determining the value of that property and intend to seek the Court's approval of an appraiser in the Dominican Republic.

I declare under the penalties of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: May 14, 2024
Yonkers, NY

S/Santiago Quezada, Sr.
Santiago Quezada Sr.

Exhibit A

Persons Familiar with Debtor's Non-Insider Unsecured Claims

(List the names, addresses, telephone numbers, person(s) familiar with the debtor's account, amount of the claim, and whether the claim is contingent, unliquidated, disputed, or partially secured of the Debtor's 20 largest non-insider unsecured creditors.)

Please See the List of 20 Largest Unsecured Creditors Attached Hereto.

Persons Familiar with Debtor's Five Largest Secured Claims

(List the names, addresses, telephone numbers, person(s) familiar with the Debtor's account, amount of the claim, and whether the claim is contingent, unliquidated, disputed, or partially secured of the debtor's 5 largest secured creditors.)

Creditor	Contact Information	Amount of Claim	Status of Claims
Mercedes Benz Financial Services	POB 685, Roanoke, TX 76262	\$151,223.00	Current

Summary of Assets and Liabilities

Real Property	<p>Debtor's single family home located at 258 Rumsey Road, Yonkers, NY. Approximate value: \$700,000.00. Value has not been verified.</p> <p>Rural land/ farm located in Espaillat Province in the Dominican Republic: Value to be determined by appraisal.</p>
Personal Property	<p>100% interest in closely held <u>corporation</u> in El Tina Fish Market. This entity operates a retail fish market and sells fried and fast food exclusively as take-out and does not have any indoor dining. Its lease has expired. Value to be determined.</p> <p>100% interest in closely held <u>corporation</u> known as Euros El Tina Restaurant Lounge and Billiards Corp. This entity is not operating. Assets are limited to the tables, chairs and fixtures that are located in its former space. It no longer has a lease for the space it formerly occupied.</p> <p><u>Cash or Cash equivalents</u>: The debtor's bank accounts are subject to a restraining order. The Debtor can not determine, at this time, an accurate</p>

	<p>amount of the funds and cash he presently has on hand.</p> <p><u>Used household furniture and goods</u>: Value unknown at this time.</p> <p>Mercedes Benz <u>Automobile</u>: Approximate value: \$185,000.00.</p> <p><u>Safety Deposit box</u>: the Debtor has one safety deposit box with Chase Bank that is jointly owned with his son. The Debtor can not state, with certainty, the contents of the box at this time.</p>
Secured and Priority Debt	\$151,223.00 due to Mercedes Benz Financial for the Debtor's automobile.
Unsecured Debt	<p>Guarantee of SBA Loan in the amount of \$373,578.78. Loan is current.</p> <p>Judgement obtained by Maria Pizarro for no less than \$1,635,000.00</p> <p>Guaranty of son's mortgage loan with Rocket Mortgage in the approximate amount of \$21,000.00. Loan is current.</p> <p>Unliquidated claim by former employee Jose Eladio Castro. Amount unknown.</p> <p>Medical bill for less than \$1,700.00</p>

Estimated Thirty (30) Cash Receipts and Disbursements

(Provide a schedule, for the thirty (30) day period following the filing of the chapter 11 petition, of estimated cash receipts and disbursements, net cash gain or loss, obligations and receivables expected to accrue but remain unpaid, other than professional fees, and any other information relevant to an understanding of the foregoing)

Income		Expenses	
<i>Source</i>	<i>Amount</i>	<i>Type</i>	<i>Amount</i>
Wages	7,678.00	Real Property Taxes	1,216.00
Soc. Security	2,332.00	Homeowner's Insurance	TBD
		Electricity	641.95
		Groceries	850.00
		Dining Out	600.00
		Car Payment	2,770.03
		Gasoline	100.00

		Auto Insurance	432.77
		Doctor Visits	1,348.28
		Prescriptions	60.00
		Clothing	
		Cable/Internet	361.89
		Landscaping	140.00
		Cell Phone	459.01
Total:	10,010.00	Total:	8,979.93

Actions Against the Debtor

1. Pizarro v. Euros El Tina, et al. [SDNY 1:20 -cv- 05783 - AKH]. Judgment was entered in this matter on February 23rd, 2024 after a jury verdict. A notice of appeal was filed. Plaintiff has served judgment enforcement discovery. The Second Circuit has set a mediation date for May 16, 2024.

2. Jose Eladio Castro v. Santiago Quezada et.al. [N.Y. Sup. Ct. Index No. 701594/2020] Summary judgment motion by Defendant was denied. Case awaits the setting of a trial date. Plaintiff asserts an alleged breach of an employment contract. The Debtor asserts that the contract at issue, an employment agreement, was entered into with Euros El Tina Restaurant Lounge and Billiards Corp. and not the Debtor individually. Resolution of this issue will determine whether this claim is properly asserted against the Debtor.

I declare the information set forth above is accurate and true to the best of my knowledge and belief.

May 14, 2024
Yonkers, New York

Santiago Quezada Sr.

Fill in this information to identify your case:

Debtor 1 Santiago Quezada Sr.
First Name Middle Name Last Name

Debtor 2
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: Southern District of New York

Case number 24-22431-shl
(If known)

☐ Check if this is an amended filing

Official Form 104**For Individual Chapter 11 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims Against You and Are Not Insiders**

12/15

If you are an individual filing for bankruptcy under Chapter 11, you must fill out this form. If you are filing under Chapter 7, Chapter 12, or Chapter 13, do not fill out this form. Do not include claims by anyone who is an *insider*. Insiders include your relatives; any general partners; relatives of any general partners; partnerships of which you are a general partner; corporations of which you are an officer, director, person in control, or owner of 20 percent or more of their voting securities; and any managing agent, including one for a business you operate as a sole proprietor. 11 U.S.C. § 101. Also, do not include claims by secured creditors unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information.

Part 1: List the 20 Unsecured Claims in Order from Largest to Smallest. Do Not Include Claims by Insiders.

	Unsecured claim
1 Maria Jose Pizarro Creditor's Name c/o Brustein Law PLLC Number Street 299 Broadway, 17th Floor New York NY 10007 City State ZIP Code Contact Contact phone	 What is the nature of the claim? <u>Judgment Liens</u> \$ <u>1,625,000.00</u> As of the date you file, the claim is: Check all that apply. <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input checked="" type="checkbox"/> Disputed <input type="checkbox"/> None of the above apply Does the creditor have a lien on your property? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Total claim (secured and unsecured): \$ _____ Value of security: - \$ _____ Unsecured claim \$ _____
2 U.S. Small Business Administration Creditor's Name CESC-COVID EIDL Service Center Number Street 14925 Kingsport Road Fort Worth TX 76155 City State ZIP Code Contact Contact phone	 What is the nature of the claim? <u>Guarantee of SBA loan to El Tina Fi</u> \$ <u>373,578.78</u> As of the date you file, the claim is: Check all that apply. <input checked="" type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed <input type="checkbox"/> None of the above apply Does the creditor have a lien on your property? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Total claim (secured and unsecured): \$ _____ Value of security: - \$ _____ Unsecured claim \$ _____

Unsecured claim

3 Rocket Mortgage What is the nature of the claim? Guarantee of Son's home mortgage \$20,891.00

Creditor's Name

1050 Woodward Ave

Number Street

Detroit

MI

48226

City

State

ZIP Code

Contact

Contact phone

As of the date you file, the claim is: Check all that apply.

- ☒ Contingent
☐ Unliquidated
☐ Disputed
☐ None of the above apply

Does the creditor have a lien on your property?

- ☒ No
☐ Yes. Total claim (secured and unsecured): \$ _____
Value of security: - \$ _____
Unsecured claim \$ _____

4 Cardiology Assoc. of Westchester What is the nature of the claim? Medical Services \$1,256.29

Creditor's Name

128 Radio Circle

Number Street

Mount Kisco

NY

10549

City

State

ZIP Code

Contact

914-244-0386

Contact phone

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed
☒ None of the above apply

Does the creditor have a lien on your property?

- ☒ No
☐ Yes. Total claim (secured and unsecured): \$ _____
Value of security: - \$ _____
Unsecured claim \$ _____

5 Jose Eladio Castro What is the nature of the claim? Claim by former employee that has \$0.00

Creditor's Name

c/o The Rose Law Group. PLLC

Number Street

3272 Steinway Street, Ste. 503

Astoria

NY

11103

City

State

ZIP Code

Contact

Contact phone

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☒ Unliquidated
☒ Disputed
☐ None of the above apply

Does the creditor have a lien on your property?

- ☒ No
☐ Yes. Total claim (secured and unsecured): \$ _____
Value of security: - \$ _____
Unsecured claim \$ _____

6 What is the nature of the claim? \$ _____

Creditor's Name

Number Street

City

State

ZIP Code

Contact

Contact phone

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed
☐ None of the above apply

Does the creditor have a lien on your property?

- ☐ No
☐ Yes. Total claim (secured and unsecured): \$ _____
Value of security: - \$ _____
Unsecured claim \$ _____

7 What is the nature of the claim? \$ _____

Creditor's Name

Number Street

City

State

ZIP Code

Contact

Contact phone

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed
☐ None of the above apply

Does the creditor have a lien on your property?

- ☐ No
☐ Yes. Total claim (secured and unsecured): \$ _____
Value of security: - \$ _____
Unsecured claim \$ _____

Debtor 1

Santiago Quezada Sr.

First Name

Middle Name

Last Name

Case number (if known) 24-22431-shl

Unsecured claim

8

Creditor's Name

Number Street

City State ZIP Code

Contact

Contact phone

What is the nature of the claim? _____

\$ _____

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed
☐ None of the above apply

Does the creditor have a lien on your property?

- ☐ No
☐ Yes. Total claim (secured and unsecured): \$ _____
Value of security: - \$ _____
Unsecured claim \$ _____

9

Creditor's Name

Number Street

City State ZIP Code

Contact

Contact phone

What is the nature of the claim? _____

\$ _____

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed
☐ None of the above apply

Does the creditor have a lien on your property?

- ☐ No
☐ Yes. Total claim (secured and unsecured): \$ _____
Value of security: - \$ _____
Unsecured claim \$ _____

10

Creditor's Name

Number Street

City State ZIP Code

Contact

Contact phone

What is the nature of the claim? _____

\$ _____

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed
☐ None of the above apply

Does the creditor have a lien on your property?

- ☐ No
☐ Yes. Total claim (secured and unsecured): \$ _____
Value of security: - \$ _____
Unsecured claim \$ _____

11

Creditor's Name

Number Street

City State ZIP Code

Contact

Contact phone

What is the nature of the claim? _____

\$ _____

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed
☐ None of the above apply

Does the creditor have a lien on your property?

- ☐ No
☐ Yes. Total claim (secured and unsecured): \$ _____
Value of security: - \$ _____
Unsecured claim \$ _____

12

Creditor's Name

Number Street

City State ZIP Code

Contact

Contact phone

What is the nature of the claim? _____

\$ _____

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed
☐ None of the above apply

Does the creditor have a lien on your property?

- ☐ No
☐ Yes. Total claim (secured and unsecured): \$ _____
Value of security: - \$ _____
Unsecured claim \$ _____

Debtor 1

Santiago Quezada Sr.

First Name

Middle Name

Last Name

Case number (if known) 24-22431-shl

Unsecured claim

13

Creditor's Name _____

Number _____ Street _____

City _____ State _____ ZIP Code _____

Contact _____

Contact phone _____

What is the nature of the claim? _____ \$ _____

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
- ☐ Unliquidated
- ☐ Disputed
- ☐ None of the above apply

Does the creditor have a lien on your property?

- ☐ No
- ☐ Yes. Total claim (secured and unsecured): \$ _____
- Value of security: - \$ _____
- Unsecured claim \$ _____

14

Creditor's Name _____

Number _____ Street _____

City _____ State _____ ZIP Code _____

Contact _____

Contact phone _____

What is the nature of the claim? _____ \$ _____

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
- ☐ Unliquidated
- ☐ Disputed
- ☐ None of the above apply

Does the creditor have a lien on your property?

- ☐ No
- ☐ Yes. Total claim (secured and unsecured): \$ _____
- Value of security: - \$ _____
- Unsecured claim \$ _____

15

Creditor's Name _____

Number _____ Street _____

City _____ State _____ ZIP Code _____

Contact _____

Contact phone _____

What is the nature of the claim? _____ \$ _____

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
- ☐ Unliquidated
- ☐ Disputed
- ☐ None of the above apply

Does the creditor have a lien on your property?

- ☐ No
- ☐ Yes. Total claim (secured and unsecured): \$ _____
- Value of security: - \$ _____
- Unsecured claim \$ _____

16

Creditor's Name _____

Number _____ Street _____

City _____ State _____ ZIP Code _____

Contact _____

Contact phone _____

What is the nature of the claim? _____ \$ _____

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
- ☐ Unliquidated
- ☐ Disputed
- ☐ None of the above apply

Does the creditor have a lien on your property?

- ☐ No
- ☐ Yes. Total claim (secured and unsecured): \$ _____
- Value of security: - \$ _____
- Unsecured claim \$ _____

17

Creditor's Name _____

Number _____ Street _____

City _____ State _____ ZIP Code _____

Contact _____

Contact phone _____

What is the nature of the claim? _____ \$ _____

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
- ☐ Unliquidated
- ☐ Disputed
- ☐ None of the above apply

Does the creditor have a lien on your property?

- ☐ No
- ☐ Yes. Total claim (secured and unsecured): \$ _____
- Value of security: - \$ _____
- Unsecured claim \$ _____

Debtor 1

Santiago Quezada Sr.

First Name

Middle Name

Last Name

Case number (if known) 24-22431-shl

Unsecured claim

18

What is the nature of the claim? _____

\$ _____

Creditor's Name _____

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed
☐ None of the above apply

Does the creditor have a lien on your property?

- ☐ No
☐ Yes. Total claim (secured and unsecured): \$ _____
Value of security: - \$ _____
Unsecured claim \$ _____

Number _____ Street _____

City _____ State _____ ZIP Code _____

Contact _____

Contact phone _____

19

What is the nature of the claim? _____

\$ _____

Creditor's Name _____

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed
☐ None of the above apply

Does the creditor have a lien on your property?

- ☐ No
☐ Yes. Total claim (secured and unsecured): \$ _____
Value of security: - \$ _____
Unsecured claim \$ _____

Number _____ Street _____

City _____ State _____ ZIP Code _____

Contact _____

Contact phone _____

20

What is the nature of the claim? _____

\$ _____

Creditor's Name _____

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed
☐ None of the above apply

Does the creditor have a lien on your property?

- ☐ No
☐ Yes. Total claim (secured and unsecured): \$ _____
Value of security: - \$ _____
Unsecured claim \$ _____

Number _____ Street _____

City _____ State _____ ZIP Code _____

Contact _____

Contact phone _____

Part 2: Sign Below

Under penalty of perjury, I declare that the information provided in this form is true and correct.

X

/s/ Santiago Quezada Sr.

Signature of Debtor 1

Date05/14/2024MM / DD / YYYY

X

Signature of Debtor 2

Date05/14/2024MM / DD / YYYY